

1                                   **BEFORE THE ARIZONA REGULATORY BOARD**  
2                                   **OF PHYSICIANS ASSISTANTS**

3 In the Matter of

4 **STEVEN CARBONNIERE, P.A.**

5 Holder of License No. 3258  
6 For the Performance of Healthcare Tasks  
7 In the State of Arizona.

Case No. PA-13-0095A

**INTERIM CONSENT AGREEMENT FOR  
PRACTICE RESTRICTION**

8           By mutual agreement and understanding, between the Arizona Regulatory Board  
9 of Physicians Assistants ("Board") and Steven Carbonniere, P.A. ("Respondent"), the  
10 parties enter into this Interim Consent Agreement, Findings of Fact, Conclusions of Law  
11 and Order ("Interim Consent Agreement") as an interim disposition of this matter.

12                                   **RECITALS**

13           Respondent understands and agrees that:

14           1.     The Board, through its Executive Director, may adopt this Interim Consent  
15 Agreement, or any part thereof, pursuant to A.R.S. § 32-2505(C)(18).

16           2.     Respondent has read and understands this Interim Consent Agreement as  
17 set forth herein, and has had the opportunity to discuss this Interim Consent Agreement  
18 with an attorney or has waived the opportunity to discuss this Interim Consent  
19 Agreement with an attorney. Respondent voluntarily enters into this Interim Consent  
20 Agreement and by doing so agrees to abide by all of its terms and conditions.

21           3.     By entering into this Interim Consent Agreement, Respondent freely and  
22 voluntarily relinquishes all rights to an administrative hearing on the matters set forth  
23 herein, as well as all rights of rehearing, review, reconsideration, appeal, judicial review  
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1 or any other administrative and/or judicial action, concerning the matters related to the  
2 Interim Consent Agreement.

3 4. Respondent understands that this Interim Consent Agreement does not  
4 constitute a dismissal or resolution of this matter or any matters that may be currently  
5 pending before the Board and does not constitute any waiver, express or implied, of the  
6 Board's statutory authority or jurisdiction regarding any other pending or future  
7 investigations, actions, or proceedings. Respondent does not relinquish his rights to an  
8 administrative hearing, rehearing, review, reconsideration, judicial review or any other  
9 administrative and/or judicial action, concerning the matters related to a final disposition  
10 of this matter, unless he affirmatively does so as part of the final resolution of this matter.  
11

12 5. Respondent acknowledges and agrees that upon signing this Interim  
13 Consent Agreement and returning it to the Board's Executive Director, Respondent may  
14 not revoke his acceptance of this Interim Consent Agreement or make any modifications  
15 to it. Any modification of this original document is ineffective and void unless mutually  
16 approved by the parties in writing.

17 6. Respondent understands that this Interim Consent Agreement shall not  
18 become effective unless and until it is signed by the Board's Executive Director.

19 7. Respondent understands and agrees that if the Board's Executive Director  
20 does not adopt this Interim Consent Agreement, he will not assert in any future  
21 proceedings that the Board's consideration of this Interim Consent Agreement  
22 constitutes bias, prejudice, prejudgment, or other similar defense.  
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1           8.     Respondent understands that this Interim Consent Agreement is a public  
2 record that may be publicly disseminated as a formal action of the Board, and that it  
3 shall be reported as required by law to the National Practitioner Data Bank.

4           9.     Respondent understands that this Interim Consent Agreement does not  
5 alleviate his responsibility to comply with the applicable license-renewal statutes and  
6 rules. If this Interim Consent Agreement remains in effect at the time Respondent's  
7 physician assistant license comes up for renewal, he must renew his license if  
8 Respondent wishes to retain his license. If Respondent elects not to renew his license  
9 as prescribed by statute and rule, Respondent's license will not expire but rather, by  
10 operation of law (A.R.S. § 32-3202), become suspended until the Board takes final  
11 action in this matter. Once the Board takes final action, in order for Respondent to be  
12 licensed in the future, he must submit a new application for licensure and meet all of the  
13 requirements set forth in the statutes and rules at that time.

14           10.    Respondent understands that any violation of this Interim Consent  
15 Agreement constitutes unprofessional conduct under, among other things, A.R.S. § 32-  
16 2501(18)(dd) ("[v]iolating a formal order, probation agreement, stipulation issued or  
17 entered into by the board or its executive director.").

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19                                   **INTERIM FINDINGS OF FACT**

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21           1.     The Board is the duly constituted authority for the regulation and control of  
22 physician assistants in the State of Arizona.

23           2.     Respondent is the holder of License No. 3258 for the performance of  
24 healthcare tasks in the State of Arizona.

25           3.     The Board initiated case number PA-13-0095A after receiving information  
that alleged Respondent was engaged in inappropriate pain medication usage and that he

1 was physically unable to carry out approved healthcare tasks. During the initial stages of  
2 the Board's investigation, Respondent has acknowledged that he wrote prescriptions for  
3 fictitious individuals and that he was self-prescribing Methadone and hydrocodone.

4 **INTERIM CONCLUSIONS OF LAW**

5 1. The Board possesses jurisdiction over the subject matter hereof and over  
6 Respondent.

7 2. Pursuant to A.R.S. § 32-2505(C)(23), the Executive Director may enter into  
8 consent agreements if there is evidence of danger to the public health and safety.

9 **INTERIM ORDER**

10 IT IS HEREBY ORDERED THAT:

11 1. Respondent is prohibited from engaging in the practice of medicine with  
12 physician supervision in the State of Arizona as set forth in A.R.S. § 32-2501(13).  
13 Respondent shall not return to the practice of medicine under physician supervision until  
14 he applies to the Board and demonstrates his ability to safely carry out approved  
15 healthcare tasks and receives the Board's permission to do so. The Board may require  
16 any combination of staff approved assessments, evaluations, treatments, examinations or  
17 interviews it finds necessary to assist in determining whether Respondent is able to safely  
18 resume such practice.

19 2. The Board retains jurisdiction and may initiate new action based upon any  
20 violation of this Interim Consent Agreement, including, but not limited to, summarily  
21 suspending Respondent's license.

22 3. Because this is an Interim Consent Agreement and not a final decision by  
23 the Board regarding the pending investigation, it is subject to further consideration by the  
24 Board.

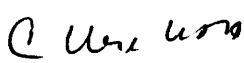
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Steven Carbonniere, P.A.

DATED: 6/23/2014

DATED AND EFFECTIVE this 23<sup>rd</sup> day of June, 2014.

ARIZONA REGULATORY BOARD OF  
PHYSICIAN ASSISTANTS

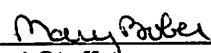
By   
C. Lloyd Vest, II  
Executive Director

EXECUTED COPY of the foregoing mailed  
this 23<sup>rd</sup> day of June, 2014 to:

Steven Carbonniere, P.A.  
Address of Record

ORIGINAL of the foregoing filed  
this 23<sup>rd</sup> day of June, 2014 with:

Arizona Medical Board  
9545 E. Doubletree Ranch Road  
Scottsdale, AZ 85258

  
Board Staff